

The Examiner rejected claims 1-105 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-132 of U.S. Patent No. 5,830,068; claims 1-59 of U.S. Patent No. 6,004,211; and claims 1-123 of U.S. Patent No. 6,089,981. Claims 1-105 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-115 of copending Application No. 09/373,120.

Claims 1-4, 10-14, 22-36, 65-82, and 94-100 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Algie U.S. Patent No. 5,564,977 (hereinafter "Algie") in view of Ueno U.S. Patent No. 5,746,657 (hereinafter "Ueno"). Claims 5-9, 15-21, 37-64, 83-93, and 101-105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Algie and Ueno and further in view of Handelsman U.S. Patent No. 5,539,450 (hereinafter "Handelman").

The Examiner's rejections are respectfully traversed.

Applicants' Reply To The
Double Patenting Rejections

Obviousness-type Double Patenting Rejections Over
Claims 1-132 Of U.S. Patent No. 5,830,068

Claims 1-105 were rejected under the judicially-created doctrine of obvious-type double patenting as being unpatentable over claims 1 through 132 of U.S. Patent 5,830,068.

Applicants are submitting herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c). The Terminal

Disclaimer overcomes these double patenting rejections. These double patenting rejections should therefore be withdrawn.

A check in the amount of \$110.00, in payment of the fee set forth in 37 C.F.R. § 1.20(d) for the Terminal Disclaimer, is enclosed.

Obviousness-type Double Patenting Rejections Over
Claims 1-59 Of U.S. Patent No. 6,004,211

Claims 1-105 were rejected under the judicially-created doctrine of obvious-type double patenting as being unpatentable over claims 1-59 of U.S. Patent 6,004,211.

Applicants are submitting herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c). The Terminal Disclaimer overcomes these double patenting rejections. These double patenting rejections should therefore be withdrawn.

A check in the amount of \$110.00, in payment of the fee set forth in 37 C.F.R. § 1.20(d) for the Terminal Disclaimer, is enclosed.

Obviousness-type Double Patenting Rejections Over
Claims 1-123 Of U.S. Patent No. 6,089,981

Claims 1-105 were rejected under the judicially-created doctrine of obvious-type double patenting as being unpatentable over claims 1 through 123 of U.S. Patent No. 6,089,981.

Applicants are submitting herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c). The Terminal

Disclaimer overcomes these double patenting rejections. These double patenting rejections should therefore be withdrawn.

A check in the amount of \$110.00, in payment of the fee set forth in 37 C.F.R. § 1.20(d) for the Terminal Disclaimer, is enclosed.

Provisional Obviousness-Type Double Patenting Over
Claims 1-115 Of Copending Application No. 09/373,120

Claims 1-105 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-115 of copending application No. 09/373,120. The Examiner should continue to make this "provisional" double patenting rejection as long as there are conflicting claims in these two applications unless the "provisional" double patenting rejection is the only rejection remaining in this application. If the "provisional" double patenting rejection is the only rejection remaining in this application, then the Examiner should withdraw the rejection and permit this application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application into a double patenting rejection at the time when this application issues as a patent. MPEP § 804(I)(B).

Applicants' Reply To The
Prior Art Rejections

Claims 1-4, 10-14, 22-36, 65-82, and 94-100 were rejected under 35 U.S.C. § 103(a) as being unpatentable over

Algie in view of Ueno. Claims 5-9, 15-21, 37-64, 83-93, and 101-105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Algie and Ueno and further in view of Handelsman. The Examiner's rejections are respectfully traversed.

In each of the Examiner's above-mentioned rejections of the claims, the Examiner cited Ueno as being prior art to applicants' claimed invention. Applicants' respectfully submit, however, that Ueno is not prior art and, therefore, may not be used to make obvious, under 35 U.S.C. § 103, applicants' invention.

Ueno was filed in the U.S. Patent and Trademark Office on February 16, 1996 with Japanese priority dates of February 16, 1995 and February 22, 1995. However, a U.S. patent reference is effective prior art as of its U.S. filing date. MPEP § 2136.03(I). Applicants' application has a right of priority to September 8, 1995 because applicants' application is a continuation of application No. 09/138,953, filed August 24, 1998, now U.S. Patent No. 6,004,211, which is a continuation of patent application No. 08/526,007, filed September 8, 1995, now U.S. Patent No. 5,830,068. Because applicants' priority date, September 8, 1995, is earlier than Ueno's U.S. filing date, February 16, 1996, Ueno is not prior art to applicants' claimed invention.


For at least the reason that Ueno is not prior art to applicants' claims and that the elements of applicants' claims are not disclosed by any of the other references of record,

applicants respectfully submit that claims 1-105 are in condition for allowance. Accordingly, applicants respectfully request that the rejections of these claims be withdrawn.

Conclusion


In view of the foregoing, claims 1-105 are in condition for allowance. This application is therefore in condition for allowance. Reconsideration and allowance of the application are respectfully requested.

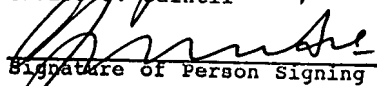
Respectfully submitted,



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